IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 20TH JULY 2006 / 29TH ASHADHA,1928

Bail Appl..No. 4265 of 2006

CMP.1082/2006 of J.M.F.C.-I HARIPAD
(CRIME NO.215/2006 OF KARTHIKAPPALLY EXCISE RANGE)

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PETITIONER/ACCUSED NO.1

BHASI, S/O.SREEDHARAN,
KOTTARATHIL (PUTHUVAL) VEEDU,
THOTTAPPALLY MURI, PURAKKAD VILLAGE,
AMBALAPPUZHA TALUK.

BY ADV. SRI.C.S.MANU

RESPONDENTS: COMPLAINANT AND STATE

1. EXCISE INSPECTOR, KARTHIKAPPALLY
EXCISE RANGE, KARTHIKAPPALLY, ALAPPUZHA DISTRICT.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.M. HABEEB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/07/2006, ALONG WITH B.A.4267/06, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.Nos. 4265/06 & 4267/06

DATED THIS THE 20TH DAY OF JULY, 2006

O R D E R

The petitioner in B.A.No. 4265/06 is the first accused, who was arrested on 20.6.2006, and the petitioner in B.A.No.4267/06 is the second accused, who was arrested on 22.6.2006, in C.R.No. 215/2005 of Karthikappally Excise Range, for the offence punishable under Section 8(1) & 8(2) of the Abkari Act. The allegation is that they were found in illegal possession of ten liters of illicit arrack. They remain in judicial detention. Hence these applications, under Section 439 Cr.P.C.

2. After hearing both sides and considering the facts on record, I grant bail and release the petitioners from jail, subject to the following conditions:-

(a). Each petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties,

each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-I, Harippad.

(b). The petitioners shall report before the Investigating Officer of Karthikappally Excise Range, once in a week on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 25.7.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs